



CITY OF LODI

PUBLIC WORKS DEPARTMENT

COUNCIL COMMUNICATION

TO : City Council
FROM : City Manager
MEETING DATE: February 17, 1988
AGENDA TITLE: Public Hearing to Consider Resolution of Intention to Vacate a Portion of the Public Utility Easement at 841 E. Kettleman Lane

RECOMMENDED ACTION: That the City Council adopt an order abandoning a portion of the public utility easement at 841 E. Kettleman Lane.

BACKGROUND INFORMATION: At its meeting of January 20, 1988, the City Council adopted a resolution of intention to vacate a portion of the public utility easement at 841 E. Kettleman Lane and referred the matter to the Planning Commission.

Letters were sent to Pacific Bell, PG&E, King Videocable Company and City utilities requesting approval of this abandonment. The Electric Utility Department responded that portions of the proposed abandonment were still needed for an existing overhead power line. The easement abandonment description has been revised to exclude the existing facility.

The Planning Commission determined at its meeting of February 8, 1988 that there was no public need, present or future, for this portion of the easement.


A revised sketch of the proposed abandonment is attached.


Jack L. Ronsko
Public Works Director

JLR/WF/ma

Attachment

APPROVED:


THOMAS A. PETERSON, City Manager

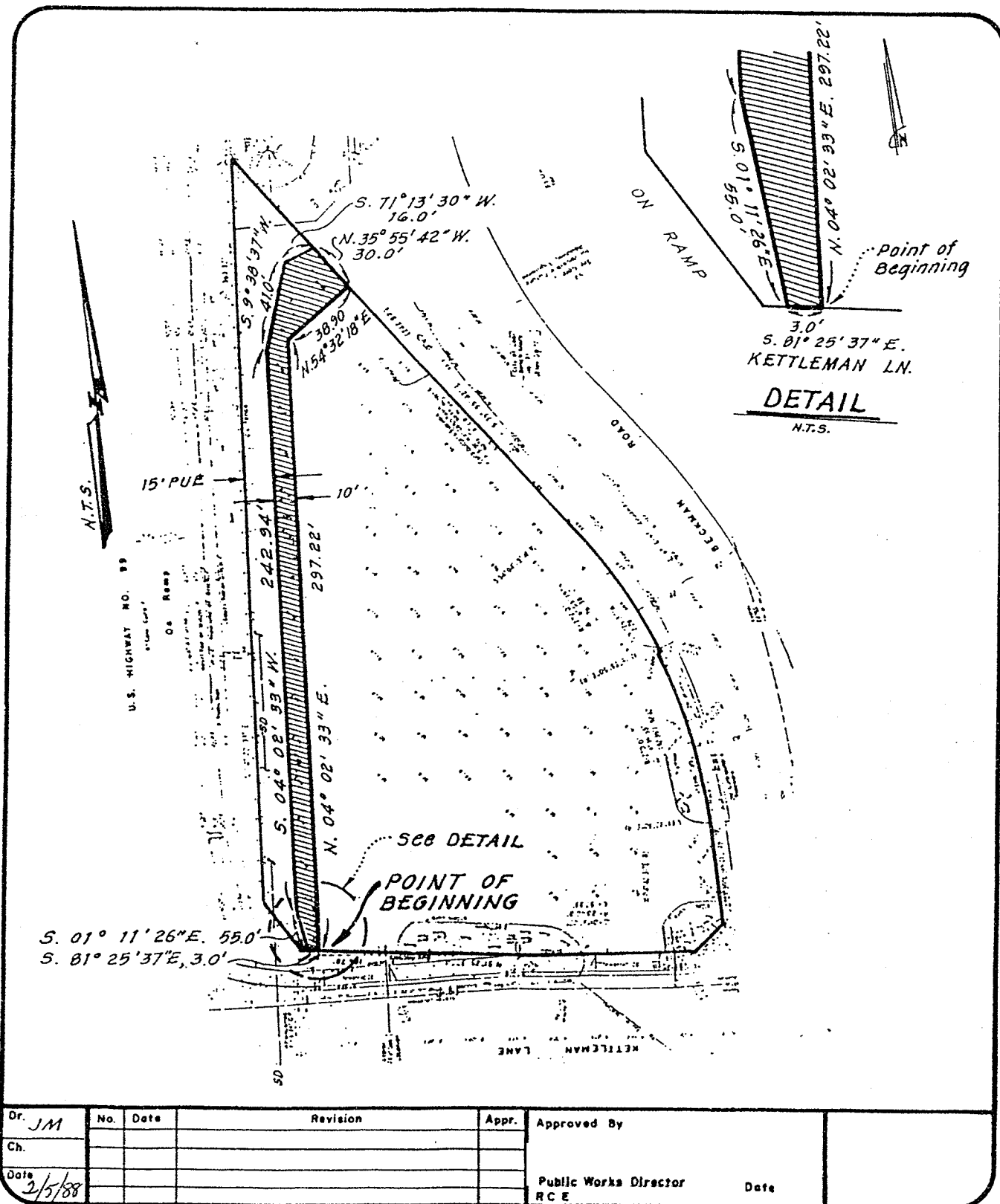
FILE NO.

CABAND05/TXTW.02M

February 9, 1988

EASEMENT
ABANDONMENT

841 E. Kettleman Ln.



RESOLUTION NO. 88-12

RESOLUTION OF INTENTION TO VACATE A PORTION OF THE
PUBLIC UTILITY EASEMENT AT 841 EAST KETTLEMAN LANE

BE IT RESOLVED by the City Council of the City of Lodi as follows:

It is the intention of the City Council of the City of Lodi, acting in accordance with the provisions of Sections 8300 et seq. of the Streets and Highways Code of the State of California, to vacate and abandon the portion of the public utility easement at 841 East Kettleman Lane described as follows:

A portion of the public utility easement as described in Book 2358 of Official Records, Page 67, San Joaquin County Records, and more particularly described as follows:

Beginning at the intersection of the east line of the above described easement and the north line of Kettleman Lane; thence along said east line the following two courses: N 04°02'33" E, 297.22 feet; thence N 54°32'18" E, 38.90 feet to the southwest line of Beckman Road; thence along said southwest line N 35°55'42" W, 40.64 feet; thence S 18°13'53" W, 56.74 feet; thence along a line 15 feet east of and parallel to the west line of the easement above described S 04°02'33" W, 265.0 feet; thence S 04°40'37" E, 33.1 feet; thence along the north line of Kettleman Lane 5.0 feet to the Point of Beginning.

Reference is hereby made to a map or plan on file in the office of the City Clerk of the City of Lodi for the particulars as to the proposed vacation.

BE IT FURTHER RESOLVED that this City Council does hereby fix Wednesday, February 17, 1988, at the hour of 7:30 p.m., in the City Council Chamber, City Hall, Lodi, California, as the time and place when and where all persons interested in or objecting to this proposed vacation may appear before this City Council and be heard.

BE IT FURTHER RESOLVED that the Public Works Director shall cause to be posted notices of easement vacation conspicuously along the line of the easement hereinabove described and proposed to be vacated in the manner, form, and for the length of time set forth in Section 8323 of the Streets and Highways Code of the State of California.

BE IT FURTHER RESOLVED that copies of this resolution shall be published for at least two successive weeks prior to February 17, 1988 in the "Lodi News Sentinel", a daily newspaper of general circulation printed and published in the City of Lodi, County of San Joaquin.

Gated : January 20, 1988

I hereby certify that Resolution No. 88-12 was passed and adopted by the City Council of the City of Lodi in a regular meeting held January 20, 1988, by the following vote:

Ayes: Councilmembers - Hinchman, Pinkerton, Reid and
Snider (Mayor Pro Tempore)

Noes : Councilmembers - None

Absent: Councilmembers - Olson (Mayor)

Attest :

Alice M. Reimche
ALICE M. REIMCHE
City Clerk

When recorded, return to:

City Clerk
City of Lodi
Call Box 3006
Lodi, CA 95241

RESOLUTION/ORDER NO. 88-20

RESOLUTION/ORDER VACATING A PORTION OF THE PUBLIC UTILITY EASEMENT
LOCATED AT 841 EAST KETTLEMAN LANE, LODI

WHEREAS, the City Council of the City of Lodi, acting in accordance with the provisions of Sections 8320 et seq. of the Streets and Highways Code of the State of California, did on the 20th day of January, 1988, pass and adopt Resolution No. 88-12, therein declaring the intention of said City Council to vacate a portion of the public utility easement located at 841 E. Kettleman Lane, Lodi, California, and more particularly described in said resolution; and

WHEREAS, said matter has been referred to the Planning Commission of the City of Lodi and a favorable recommendation has been made by said Planning Commission to this City Council; and

WHEREAS, notice of adoption of said Resolution of Intention to vacate was regularly given by publication in the "Lodi News Sentinel", a newspaper of general circulation published in the City of Lodi, County of San Joaquin, and by posting on the property, both in the time, form, and manner as required by law, and there are on file in the office of the City Clerk affidavits showing said publication and posting; and

WHEREAS, in accordance with the notice given in said Resolution No. 88-12, a public hearing was held before said City Council in the Council Chambers, City Hall, 221 West Pine Street, Lodi, California, at 7:30 p.m., on February 17, 1988; and

WHEREAS, at the aforesaid time and place set for public hearing, no person appeared to object to the vacation of said portion of the public utility easement; and

WHEREAS, the City Council of the City of Lodi did then and there determine, at said public hearing, that the portion of the public utility easement more particularly hereinafter described is unnecessary for present or prospective public use.

NOW, THEREFORE, IT IS HEREBY ORDERED, pursuant to the foregoing findings and under the authority of Sections 8320, et seq., of the Streets and Highways Code of the State of California, that there is hereby abandoned and vacated a portion of that certain public utility easement situated in the City of Lodi, County of San Joaquin, State of California, more particularly described as follows:

A portion of the public utility easement as described in Book 2358 of Official Records, Page 67, San Joaquin County Records, and more particularly described as follows:

Beginning at the intersection of the east line of the above described easement and the north line of Kettleman Lane; thence along said east line the following two courses: N 04°02'33" E, 297.22 feet; thence N 54°32'18" E, 38.90 feet to the southwest line of Beckman Road; thence along said southwest line N 35°55'42" bl, 30.0 feet; thence S 71°13'30" W, 16.0 feet; thence S 9°38'37" W, 41.0 feet; thence along a line 15 feet east of and parallel to the west line of the easement above described S 04°02'33" W, 242.94 feet; thence S 01°11'26" E, 55.0 feet; thence along the north line of Kettleman Lane 3.0 feet to the Point of Beginning.

Reference is hereby made to a map or plan on file in the office of the City Clerk of the City of Lodi for the particulars as to the proposed vacation.

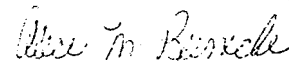
Dated: February 17, 1988

I hereby certify that Resolution/Order No. 88-20 vacating the portion of the public utility easement heretofore described was passed and adopted by the City Council of the City of Lodi in a regular meeting held Wednesday, February 17, 1987, by the following vote:

Ayes: Council Members - Hinchman, Pinkerton, Reid and Snider

Noes: Council Members - None

Absent: Council Members - Olson


ALICE M. REIMCHE
City Clerk

MEMORANDUM

TO: Jack Ronsko
Public Works Director

DATE: January 21, 1988

FROM: Alice M. Reimche
City Clerk

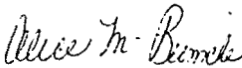
SUBJECT: Posting Notices Regarding Intention to Vacate An Easement At
841 East Kettleman Lane, Lodi

Please be advised that the Lodi City Council at its Regular Meeting of January 20, 1988 adopted Resolution No. 88-12 - Resolution of the City Council of the City of Lodi Declaring its Intention to Vacate a portion of a Public Utility Easement at 841 East Kettleman Lane, Lodi. A certified copy of the subject resolution is attached.

Further, Council referred the matter to the Planning Commission for a recommendation and set the matter for Public Hearing at the Regular Meeting of February 17, 1988.

Section 8323 of the State of California Streets and Highways Code provides that the Superintendent of Streets shall post notices pertaining to the Resolution of Intention to Vacate an Easement on the subject property at least 15 days before the hearing. The code further provides that there shall be at least three notices and they shall not be spaced any further apart than 300 feet.

Please provide me with a Declaration of Posting when this task has been accomplished.


ALICE M. REMCHE
City Clerk

Encl .

VAC09
TXTA.02D